

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:19CR331
	)	
vs.	)	
	)	
MERRILL JOHNSTON,	)	ORDER
	)	
Defendant.	)	

This matter is before the court on the Unopposed Motion to Continue Trial [50]. Counsel needs additional time to negotiate a resolution short of a trial. For good cause shown,

**IT IS ORDERED** that the Unopposed Motion to Continue Trial [50] is granted, as follows:

1. The jury trial now set for November 2, 2021 is continued to **January 3, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and January 3, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted without a hearing before the undersigned magistrate judge.**

**DATED: October 28, 2021.**

**BY THE COURT:**

**s/ Susan M. Bazis**  
**United States Magistrate Judge**